

CITY-COUNTY GENERAL ORDINANCE NO. 13, 2009
Proposal No. 540, 2008

METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 2008-AO-02

A GENERAL ORDINANCE to amend portions of the "Revised Code of the Consolidated City and County" regarding the Special Districts Zoning Ordinance and affixing a time when the same shall take effect.

WHEREAS, IC 36-7-4 establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana, as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana ordinances for the zoning or districting of all lands within the county for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood, and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth; and

WHEREAS, the Speedway Redevelopment Commission (SRC) was authorized by Indiana State Statute and established on July 1, 2005 to restore economic growth to the property tax base; to eliminate urban blight; to encourage reinvestment and property improvement; to enable the capture of new jobs, as well as retain existing jobs by being economically competitive in the central Indiana marketplace; to encourage and stimulate economic development; to stabilize and protect property values including residential, commercial and industrial property; to generate redevelopment in a manner that overcomes, to the extent possible, the limitations of old designs, layouts and development standards in order to define the Civil Town of Speedway as a 21st century community, which simultaneously recognizes its heritage and embraces its future; and

WHEREAS, the SRC adopted the "Redevelopment Plan and Strategy: Main Street & Motorsports Campus Redevelopment Area" in September 2005 that created the boundaries and focus for Redevelopment Area No. 1; and

WHEREAS, the SRC began in May of 2006 an extensive public planning process to develop an overall development master plan for Redevelopment Area No. 1, which included the establishment of an 18-member Speed Zone Master Plan Steering Committee consisting of residents, business owners, city officials, and community leaders; public open house attended by over 200 people; Consumer Preference Survey mailed to over 4500 households in Speedway yielding a 12% return rate; numerous stakeholder meetings and over 50 individual interviews; a Speed Zone Design Workshop attended by over 200 participants; and Visual Preference Survey conducted at two neighborhood workshops; and

WHEREAS, the resulting strategy, The Speed Zone Master Plan proposes two distinct redevelopment patterns; one for Speedway's Main Street which facilitates street-level activities focusing on restaurants, personal services, and shopping while the upper stories provide a diverse range of office space and urban-style housing developed with a relatively continuous street wall creating a pedestrian-oriented sense of enclosure and place with particular attention given to sidewalks, pedestrian pathways, parking areas, streetscape, landscape continuity, and lighting; and one for the balance of the area which facilitates significant employment generators comprised of a diverse mix of light and moderate industrial uses, some automobile-related commercial activities, and commercial entertainment that are developed and function entirely enclosed, provide sufficient space for future manufacturing and wholesaling or related needs while preserving the aesthetics of the community and utilizing sustainable development techniques; and

WHEREAS, the Speed Zone Master Plan recommends the creation of two zoning classifications that ensure that all development of land in the Speedway Redevelopment Area 1 takes place in accordance with the principles set forth in the Comprehensive Plan and the Speed Zone Master Plan; and

WHEREAS, the Speed Zone Master Plan was approved by the SRC in June 2007, and subsequently the Metropolitan Development Commission on October 15, 2008, approved Resolution 2008-CPS-R-09 that adopted the Speed Zone Master Plan as an amendment to the Comprehensive Plan of Marion County, Indiana; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 735-700 of the "Revised Code of the Consolidated City and County," regarding the Special Districts Zoning Ordinances of Marion County, Indiana, hereby is amended by the addition of the language which is underscored, to read as follows:

DIVISION 1. GENERALLY

Sec. 735-700. Establishment of official zoning map; establishment of special zoning districts.

(b) *Establishment of special zoning districts.* The following primary special zoning districts for Indianapolis, Marion County are hereby established, and land within Indianapolis is hereby classified, divided and zoned into such districts as designated on the official zoning map:

<i>Park Districts</i>	
PK-1	Park District One
PK-2	Park District Two
<i>Hospital Districts</i>	
HD-1	Hospital District One
HD-2	Hospital District Two
<i>University Quarter Districts</i>	
UQ-1	University Quarter District One
UQ-2(B)	University Quarter District Two (Butler University)
<i><u>Speedway Districts</u></i>	
<u>SZ-1</u>	<u>Speedway Main Street District</u>
<u>SZ-2</u>	<u>Speedway Industrial District</u>

SECTION 2. Section 735-701 of the "Revised Code of the Consolidated City and County," regarding the Special Districts Zoning Ordinances of Marion County, Indiana, hereby is amended by the deletion of the language that is stricken-through and by the addition of the language which is underscored, to read as follows:

Sec. 735-701. General regulations.

(c) *Development plans required.* A site and development plan shall be required in the PK-1, PK-2, HD-1, HD-2, UQ-1, UQ-2(B), SZ-1, SZ-2 and all SU districts. Development requirements ~~which~~ that must be met for the approval of a site and development plan are specified in each of the respective districts.

SECTION 3. Chapter 735, Article VII of the "Revised Code of the Consolidated City and County," regarding the Special Districts Zoning Ordinances of Marion County, Indiana, hereby is amended by the addition of the following language, to read as follows:

DIVISION 6. SPEEDWAY DISTRICT REGULATIONS

Sec. 735-760 Speedway District Regulations.

(a) *Statement of Purpose.* The purpose and intent of these districts is to ensure that all development of land in the Speedway Redevelopment Area 1 takes place in accordance with the principles set forth in the Comprehensive Plan and the Speed Zone Master Plan. The Commission shall prescribe in its rules of procedure the requirements for an approval petition for site and development plan consideration which shall be filed. Where the Special Districts Zoning Ordinance directly conflicts with

other portions of the Zoning Ordinance, this code shall prevail; however, no development may be approved that conflicts with the Comprehensive Plan.

- (1) The Speedway Main Street District (SZ-1) is intended to serve as the primary identity for the Town of Speedway.

The SZ-1 District is designed to permit and facilitate street-level activities focusing on restaurants, personal services, and shopping while the upper stories provide a diverse range of office space and urban-style housing. Due to the intensity, traffic generation, nature of operation, or aesthetics of these uses, industrial uses, automobile service facilities, outside storage, and other similar uses are prohibited.

The SZ-1 District is designed to permit and facilitate a healthy social and economic environment for residents and visitors of all ages that is a pedestrian-oriented place with active street life, healthy retail, as well as common space for community gatherings and racing-season activities. All buildings within the SZ-1 District shall contribute to creating a relatively continuous street wall and create a pedestrian oriented sense of enclosure and place. Building heights and signs may vary from one property to the next; however a general consistency shall be retained in order to create a continuous sense of character within the district. Sidewalks, pedestrian pathways, and parking areas shall give particular attention to streetscape, landscape continuity, and lighting.

- (2) Speedway Industrial District (SZ-2) is designed to permit and facilitate uses that are significant employment generators.

The SZ-2 District is designed to permit and facilitate a diverse mix of light and moderate industrial uses, some automobile-related commercial activities, and commercial entertainment. For illustrative purposes, such uses include wholesale activities, warehouses, manufacturing, compounding, processing, packaging, assembly, or treatment of finished or semi-finished products from previously-prepared material, as well as racing, sports and entertainment operations. Due to the inherent risk, intensity, traffic generation, nature of operation or aesthetics of these uses, residential uses, and commercial retail and service uses are prohibited.

The SZ-2 District is designed to permit and facilitate development that is entirely enclosed; strictly adheres to the performance standards; provides sufficient space for current or future needs for manufacturing and wholesaling or related uses while preserving the aesthetics of the community; and utilizes sustainable development techniques to both reduce the environmental impact and increase the intensity of development. In addition to the economic benefits of green roof construction and the utilization of permeable pavement materials, structures utilizing these design techniques realize ecological benefits by reducing the impervious surface area on a site. The SZ-2 District development standards encourage these and other sustainable construction and development practices.

(b) Permitted Uses in the Speedway Districts.

- (1) Permitted Speedway Main Street District SZ-1 uses. All uses permitted within the SZ-1 District shall be subject to the Commission's approval, and as indicated on the required site and development plan filed with, and approved by, the Commission as specified in this Article. The following uses are permitted, as approved by the Commission:

- a. Office uses, retail uses, personal service establishments, restaurants, drinking places, theaters, museums, educational facilities, and indoor amusement/recreation establishments.
- b. Residential uses, location above the first floor and possessing a separate entrance is preferred, unless otherwise permitted by the Commission.
- c. Any other similar uses appropriately planned, designed and limited to foster a pedestrian-oriented and diverse environment compatible with the traditional development pattern of downtown Speedway.

- (2) Prohibited Speedway Main Street District SZ-1 uses. The following uses shall be prohibited from the SZ-1 district:

- a. Adult entertainment business (as defined in section 732-217).

- b. Automotive services, including but not limited to: storage, outdoor sales, leasing/rental, repair, service, body work, car wash facility, detailing, supply store, rust proofing, tire alignment, tire dealers, tire repair, oil change, lubrication shop.
 - ~~c. Firearms sales or rental.~~
 - ~~d.~~ Fireworks sales.
 - ~~e.~~ Fueling station, such as gasoline or ethanol.
 - ~~f.~~ Heavy industrial uses listed in Section 733-201(b), (c) and (d).
 - ~~g.~~ Sanitary Landfill.
 - ~~h.~~ Light industrial uses listed in Section 733-201(a) except those uses that include retail, entertainment or office activities that are located in the building in proximity and along the frontage of the lot.
 - ~~i.~~ Outside storage or operations and uses requiring outside storage or display of materials, goods, or equipment or outside operations.
 - ~~j.~~ Self-storage or mini-warehouse facility.
 - ~~k.~~ Other uses similar and comparable in character to the above prohibited uses.
- (3) Permitted Speedway Industrial District SZ-2 uses. All uses permitted within the SZ-2 District shall be subject to the Commission's approval, and as indicated on the required site and development plan filed with, and approved by, the Commission as specified in this Article. The following uses are permitted, as approved by the Commission:
- a. For lots with at least 200 feet of frontage along the realigned 16th Street right-of-way, all SZ-1 uses, except residential uses, developed in accordance with the SZ-1 development standards;
 - b. Commercial office centers and associated retail uses;
 - c. Light and Moderate industrial uses listed in Section 733-201(a) and (b);
 - d. Fueling stations, automotive services; and
 - e. Other uses similar and comparable in character to the above permitted uses and as described in Section 733-201.
- (4) Prohibited Speedway Industrial District SZ-2 uses. The following uses shall be prohibited in the SZ-2 district:
- a. Adult entertainment business (as defined in Section 732-217).
 - ~~b. Firearms sales or rental.~~
 - ~~c.~~ Fireworks sales.
 - ~~d.~~ Medium and Heavy industrial uses listed in Section 733-201(c) and (d).
 - ~~e.~~ Residential uses.
 - ~~f.~~ Sanitary Landfill.
 - ~~g.~~ Self-storage or mini-warehouse facility.
 - ~~h.~~ Other uses similar and comparable in character to the above prohibited uses.
- (c) Site and development plan consideration. No use, building or structure shall hereafter be established, constructed, altered, converted, expanded, enlarged, modified, reconstructed, relocated, or used on any land in the SZ-1 or SZ-2 District for any purpose other than lawfully existed on or prior to adoption date of this ordinance until a site and development plan for such land shall have been filed with and approved by the Commission. The Commission shall prescribe in its rules of procedure the requirements for an approval petition for site and development plan consideration which shall be filed. In addition, the rules of procedure set forth the fees, hearing process, notice, and amendment procedures relative to any petition. The Commission may consider and act upon any proposed use

and site and development plan, approve the same in whole or in part, and impose additional development standards, requirements or conditions thereon at any public hearing of the Commission.

(1) Design Consideration. Evaluation of a project shall be based on the quality of its design and relationship to surroundings. Factors to be considered include, but are not limited to:

- a. Architectural Building Design. In reviewing the architectural design of buildings proposed to be built in the SZ-1 or SZ-2 districts, architectural style is not restricted. Aesthetics of the proposed building or other proposed structures, including:
 1. Color and materials.
 2. Scale and proportion;
 3. Suitability of building materials;
 4. Design in relation to surrounding buildings;
 5. Design in relation to proposed landscaping; and
 6. Use and materials for fencing.
- b. Buildings shall be harmonious with permanent, neighboring development.
- c. Materials shall have architectural character and shall be selected for harmony with adjacent buildings.
- d. Materials shall be suitable to the type of buildings and the design in which they are used. Buildings shall have the same materials, or those that are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public rights-of-way.
- e. Materials shall be of durable quality.
- f. Building components, such as windows, doors, eaves, and parapets, shall have good proportions and relationships to one another.
- g. Colors shall be harmonious with existing development and only the use of complementing accents shall be permitted.
- h. Exterior lighting shall be part of the architectural design. Fixtures, standards, and all exposed accessories shall be harmonious with building design.
- i. Monotony of design in single or multiple building projects shall be avoided. Variation of detail and form shall be used to provide visual interest. In multiple building projects, variable siting or individual buildings may be used to prevent a monotonous appearance.
- j. Signs shall be designed as an integral part of the architectural and landscaping plans. The colors, materials, and style of signs shall be architecturally compatible and accentuate the buildings and landscaping on the site. The colors, materials, and lighting of every sign shall be restrained and harmonious with the building and site to which it principally relates.

(2) Plan documentation and supporting information. The site and development plan shall be dimensioned and include layout and elevation plans for all proposed buildings and structures, and shall indicate:

- a. Proposed uses.
- b. Any existing uses, buildings and structures; including any proposed to be demolished.
- c. Zoning and existing land uses of adjacent properties.
- d. Proposed buildings and structures.
- e. Elevations of all facades of each building.
- f. Proposed fencing.
- g. Proposed location of trash receptacles or storage.

- h. Off-street parking layouts.
 - i. Circulation plan for vehicles and pedestrians.
 - j. Vehicular entrances and exits and turnoff lanes.
 - k. Setbacks.
 - l. Landscaping, screens, walls, fences.
 - m. Lighting plan.
 - n. Signs, including location, size, design, and illumination.
 - o. Sewage disposal facilities.
 - p. Storm drainage facilities.
 - q. Other utilities if aboveground facilities are needed.
 - r. Sample color and materials palette for all proposed structures, including fences.
 - s. Information related to the development's environmental impact (such as application for LEED certification, paving permeability, and other sustainable techniques).
- (3) Site and development plan requirements. Land in the SZ-1 and SZ-2 Districts is subject to the following site and development requirements. In review of the proposed site and development plan, the Commission shall assess whether the site and development plan, proposed use, buildings and structures shall:
- a. Be so designed as to create a superior land development plan, in conformity with the Comprehensive Plan of Marion County, Indiana;
 - b. Be in conformity with the Speed Zone Master Plan of the Town of Speedway, Indiana;
 - c. Create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the district and with adjacent uses;
 - d. Utilize sustainable development techniques to both reduce the environmental impact and increase the intensity of development;
 - e. Provide sufficient and adequate multi-modal access, parking and loading areas per the standards set forth in this Division;
 - f. Integrate active and passive traffic control and multi-modal transportation network with existing and planned public streets and interior roads;
 - g. Provide adequately for sanitation, drainage and public utilities;
 - h. Provide for pedestrian connectivity and public transit accessibility; and
 - i. Allocate adequate sites for all uses proposed - the design, character, grade, location and orientation thereof to be appropriate for the uses proposed - logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan of Marion County, Indiana and the Speed Zone Master Plan of the Town of Speedway, Indiana.

The Commission may consider and act upon any such proposed use and site and development plan, approve the same in whole or in part, and impose additional development standards, requirements, conditions, or commitments thereon at any public hearing of the Commission.

- (4) Findings. The Commission shall make written findings concerning any decision to approve or disapprove a site and development plan filed under this section. The written findings shall be based upon the requirements of subsection (c)(3) above (Site and development plan requirements). The president or secretary of the Commission shall be responsible for signing the written findings.
- (d) Public notice. Public notice of the hearing regarding such petition shall be required to registered neighborhood organizations whose boundaries include all or part of the subject request, and otherwise in accordance with the Commission's rules of procedure.

- (e) Improvement Location Permit requirements. No building or structure shall be established, constructed, altered, converted, expanded, enlarged, modified, reconstructed, relocated, or used in the SZ-1 or SZ-2 District without an Improvement Location Permit. Such permit shall not be issued until the site and development plan, including the proposed use or uses and plans for such building or structure, shall have been approved by the Commission. Applications for an Improvement Location Permit shall be made upon Department of Metropolitan Development forms and shall include all information specified by such forms.
- (f) Speedway District development standards. Development shall be in accordance with the following development standards for the SZ-1 and SZ-2 Districts. The illustrations used in this section are only conceptual representations of the desired type of development and are not to be construed as a development standard.
 - (1) Speedway Main Street District SZ-1 development standards.
 - a. Lot area. There shall be no minimum or maximum lot area.
 - b. Lot width. Lot width shall be measured along the frontage of the lot. Minimum lot width shall be 20 feet. There shall be no maximum lot width.
 - c. Front building setback and yard.
 - 1. No part of any building shall be located closer to the right-of-way line of any street than zero feet. The maximum distance between any right-of-way line of any street and any building located on the lot shall be 5 feet. A front yard of no less than zero feet in depth and no more than 5 feet in depth, measured from and parallel to the lot line, shall be provided along the entire lot width.
 - 2. The composition of the surface area of the front yard shall be developed and maintained in a pedestrian-friendly manner.
 - d. Side building setback and yard. A side setback and side yard of no less than zero feet in depth, measured from and parallel to all side lot lines, shall be provided along all side lot lines.
 - e. Rear building setback and yard. A rear setback and rear yard of no less than three feet in depth, measured from and parallel to all side lot lines, shall be provided along all rear lot lines unless subject to the following transitional yard requirements:
 - 1. Where a rear lot line abuts a lot line in an adjacent protected district, a required rear transitional yard and building setback of not less than twenty (20) feet in width, measured from and parallel to the lot line, shall be provided along such rear lot line.
 - 2. Exceptions to the above subsection 735-760 (f)(1)e. 1.:
 - i. Where a dedicated alley separates such rear lot line from the protected district, such required rear transitional yard and building setback shall be not less than ten (10) feet in width.
 - ii. Where the ground area required for required transitional yards exceeds twenty (20) percent of the lot area, the width of the rear transitional yards may be reduced to ten (10) feet and shall provide planting areas, being six-foot in width minimally, and provide a six-foot tall opaque wooden fence or solid wall.
 - iii. Transitional yard requirements shall not apply in those instances where commercial or industrial use, legally established by permanent variance or lawful nonconforming use, exists upon such property or abutting frontage property, although zoned as a protected district.
 - f. Building height.
 - 1. The minimum building height shall be 24 feet or two stories, whichever is less.
 - 2. The maximum building height shall be 52 feet or four stories, whichever is greater.
 - 3. Maximum building height exceptions.

- i. HVAC, mechanical equipment, stairwell enclosure, elevator equipment, and any required screening may extend above the maximum building height, but shall not be greater than 10 feet above the maximum building height. Said structures shall be completely screened from view at any right-of-way and from any protected district.
 - ii. Where a rear lot line abuts a lot line in an adjacent protected district, the building height of any structure within thirty (30) feet of the rear lot line shall not be greater than 35 feet or 3 stories, whichever is the lesser.
- g. Building use and form.
 1. The total floor area of any dwelling unit shall not be less than 600 square feet.
 2. Drive-through service windows shall be permitted only if all of the following requirements are satisfied:
 - i. The lot on which the drive-through service window is located is a corner lot;
 - ii. The location of the building with the drive-through service window is at the corner with the intersecting public rights-of-ways and behind the front building line;
 - iii. Vehicular access from Main Street is prohibited; and,
 - iv. Adequate stacking for the drive-through service window is provided.
 3. Roofs. Roof line, form and cornice shall be articulated with a treatment in scale with the building and shall be designed integral with the building. Mechanical equipment shall be placed to complement the building or screened with materials consistent with the building's design. Roofs shall not be pitched unless a parapet is provided that completely and effectively screens the pitch from view from any right-of-way. Alternative roof design may be approved at the discretion of the Commission.
 4. Transparency of the building facade.
 - i. Minimum transparency of the ground floor shall be 40%.
 - ii. Maximum transparency of the ground floor shall be 85%.
 - iii. Minimum transparency of the floors above the ground floor shall be 25%.
 - iv. Maximum transparency of the floors above the ground floor shall be 60%.
 5. Exterior Building Materials. The following standards apply to all buildings except public parking structures.
 - i. Walls on all sides of any building, exclusive of windows and doors, shall be a minimum 80% brick, stone, pre-cast concrete panels, tile, decorative block, wood or hardiplank lap siding, or ceramic. Materials shall be durable enough to last 50 years with low maintenance. Other materials may be approved if determined by the Commission that the materials meet the intent and purpose of the district.
 - ii. All sides of the building shall be of a similar design and complement each other.
 - iii. Trim and ornamentation shall be provided on all sides of any building and shall be metal, concrete, brick, stone, wood, or decorative concrete block.
 6. Architectural features and façade requirements.
 - i. Base panel shall be provided. Base panel shall be between 18 and 30 inches tall.
 - ii. Sign band. A sign band, being between 12 and 24 inches tall, is recommended to accommodate wall signage.
 - iii. Walls without windows shall not be permitted along or when facing a public right-of-way, public parking area, or park.
 - iv. Articulation for walls located within 10 feet of a public right-of-way shall be, at a minimum, every 10 feet and shall wrap around the sides of the building, at a minimum, 3 feet.

- v. Proportion. If the building facades along a right-of-way comprise at least 50% of the frontage of a block, new construction or façade rehabilitation shall create or maintain horizontal and vertical spacing of façade elements of surrounding buildings such as windows, entries and rooflines as well as the rhythm of the bays, windows, and openings of the facades.
- vi. Windows.
 - 1. Ground floor window openings. The height of ground floor window openings shall be equal to or greater than the width of the opening.
 - 2. Upper floor window openings shall be rectangular. The vertical dimension of a window size shall be, at a minimum, two times the horizontal dimension.
- h. Parking. Off-street parking within 50 feet of the right-of-way of Main Street or West 16th Street shall be prohibited. Off-street parking is discouraged; any off-street parking shall be designed to be unobtrusive to the pedestrian environment. Provisions for bicycle, scooter and motorcycle parking shall be provided in proximity to the primary entrance.
- i. Signs. Except as modified by this division, the regulations of the following Sections shall apply: Sections 734-100 through 734-204, Sections 734-207, 734-300 and 734-303, Sections 734-400 through 734-701.
 - 1. Permitted sign types and size. Permitted and prohibited sign types are identified in Diagram B 'Sign Types in Speedway Zoning Districts'. The following sign types may be permitted:
 - i. Canopy and awning signs. The recommended maximum of sign surface area of a canopy or awning sign shall be 20 square feet with a maximum vertical dimension of two feet.
 - ii. A-frame sign. The maximum of sign surface area per side of an A-frame sign shall be 12 square feet with a maximum horizontal dimension of three feet. A-frame signs shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m. EST. A-frame signs shall be designed and placed in a secure manner in all weather conditions and shall not obstruct accessibility or visibility of pedestrians or vehicular movement.
 - iii. Projecting sign. The recommended maximum of sign surface area of a projecting sign is 8 square feet. In addition, it is recommended that horizontally oriented signs have a maximum vertical dimension of two feet and vertically oriented signs have a maximum horizontal dimension of two feet.
 - iv. Suspended sign. Suspended signs shall maintain a clearance of 8.5 feet.
 - v. Wall sign. The recommended placement of a wall sign is to be contained entirely within the sign band.
 - vi. Window sign. Window signs shall be permitted on the ground floor only and the maximum sign surface area shall not exceed 50% of the sign surface area of all ground-floor windows on that facade.
 - vii. Sign affixed to the barrier of an approved outdoor seating area associated with a restaurant. Said sign shall be a maximum of 6 square feet in sign surface area with a maximum height of 4 feet. Such outdoor signs may remain in place from 7:00 a.m. to 10:00 p.m. EST.
 - viii. Exempt signs as listed and authorized in Chapter 734-201
 - 2. Prohibited sign types. Off-premises (outdoor advertising) signs, ground signs, pole signs, pylon signs shall be prohibited. Portable signs, except for A-frame signs specifically described above, shall be prohibited.
 - 3. Sign types eligible for Special Consideration. Animated signs, roof signs, inflatable signs, marquee signs, message centers, and electronic variable message signs may be permitted after special consideration and the adoption of specific findings by the

Commission that unique circumstances exist and that the specific design characteristics are appropriate for the district. Findings of fact shall be adopted.

4. Number of signs.
 - i. Sign affixed to the barrier of an approved outdoor seating area associated with a restaurant. Two one-sided signs shall be permitted if the signs face different directions; or one two-sided sign shall be permitted.
 - ii. Wall Signs. One wall sign shall be permitted for each ground-floor entrance to the building.
 - iii. One of the following sign types shall be permitted for each ground-floor entrance to the building: One awning sign or one projecting sign or one canopy sign.
 - iv. Suspended sign. If attached to an awning sign or canopy sign, one suspended sign shall be permitted for each ground-floor entrance to the building.
 - v. A-frame sign. One A-frame sign shall be permitted for each ground-floor entrance to the building.
 - vi. Window sign. Two window signs shall be permitted for each ground-floor entrance to the building.
5. Sign location. Sign shall be designed and placed in a secure manner for all weather conditions and shall not obstruct accessibility or visibility of pedestrians or vehicular movement. In accordance with Chapter 734, no sign or sign structure may be placed on or in the right-of-way of an alley or a street, except for the following sign types upon obtaining encroachment authorization from the appropriate governmental agency:
 - i. Sign affixed to the barrier of an approved outdoor seating area associated with a restaurant.
 - ii. A-frame sign.
 - iii. Projecting signs.
 - iv. Awning or canopy sign.
 - v. Suspended sign.
 - vi. Wall sign.
6. Character. The colors, materials, and style of signs shall be architecturally compatible and accentuate the buildings and the district. Signs should be designed to reflect the small-town atmosphere of Main Street while fostering an exciting and festive atmosphere, enhancing a sporting event experience, or demonstrating a unique approach to advertising. Box signs typically do not meet the desired character.
7. Sign illumination. The Commission may authorize the internal or external illumination of signs.
- j. Screening of trash receptacles and refuse areas. No outside, unenclosed storage of recyclables or refuse containers exceeding 16 cubic feet in size shall be permitted on any lot. Any refuse or recyclable container, dumpster, or compactor exceeding 16 cubic feet in size shall be located within an area enclosed on all sides by a fence, wall, or similar means of enclosure. The enclosure does not require a roof. The height of the sides of the enclosure shall be the greater of six feet or two feet taller than the container, dumpster, or compactor that is being enclosed. All sides of the enclosure, including doors or gates, shall be opaque.
- k. Lighting. Lighting shall be designed to minimize overflow light into the night sky, shield the light filaments from any right-of-way or protected district, prohibit hazardous glare perceptible from any point beyond the lot lines, and provide adequate light for safety.
- l. Fencing. Except for use as described under subsection j., fences shall be constructed of materials that complement the design of the primary building. Chain-link fencing shall not be permitted. Barbed wire and razor wire shall be prohibited.

m. Pedestrian Accessibility.

1. Development shall provide sidewalks along eligible public streets, excepting interstate highways, expressways, freeways, as indicated in the current Official Thoroughfare Plan for Marion County, Indiana, and other full control of access frontages as determined by the Administrator; and, pedestrian accessibility to available public transit. Sidewalks shall consist of the walkway and any curb ramps or blended transitions. If required to be installed, the Administrator or the Commission shall be guided by the provisions of Sec. 732-214(c)(5) for the installation of sidewalks in the C-S District.
2. Internal accessibility. Within a lot or integrated center, walkways shall be provided in accordance with a pedestrian plan that shall include a walkway system that functionally connects all of the building's main front entrances with the sidewalk located in the public right-of-way of each of the lot or integrated center's eligible public streets. The walkways may be constructed of asphalt, concrete, pavers, or other materials meeting ADA guidelines. Such private walkways shall provide for identifiable pedestrian crossing treatments along functional pedestrian routes wherever the private walkways cross an interior access drive or interior access driveway.

n. Streetscape.

In order to create cohesiveness within the SZ-1 district, site furnishing elements have been delineated for public spaces along the Main Street Corridor in the Design Manual. For each of the site furnishings, substitutions that provide a similar style may be approved by the Commission. The site furnishings may include items appropriate to the site, such as, benches, trash receptacles, transit shelter, bollards, newspaper racks, trees, tree gates, bike lockers, bike racks, and public art.

(2) Speedway Industrial District SZ-2 development standards.

a. Lot Coverage, Building Setbacks, and yards.

1. No more than 60% of the lot area may be covered by impervious surfaces, including structures, parking, and other hard surfaces. This maximum lot coverage may be increased to 80% impervious surface coverage if appropriate methods for sustainability indicated in subsection j. below are utilized.
2. No part of any building shall be located closer to the right-of-way line of any street than 50 feet. A front yard of no less than 50 feet in depth, measured from and parallel to the lot line, shall be provided along the entire lot width.
3. A side setback and side yard of no less than 25 feet in depth, measured from and parallel to all side lot lines, shall be provided along all side lot lines.
4. A rear setback and rear yard of no less than 25 feet in depth, measured from and parallel to all side lot lines, shall be provided along all rear lot lines.

b. Building height.

1. The building height shall not be greater than 60 feet.
2. Building height exceptions.
 - i. HVAC, mechanical equipment, stairwell enclosure, elevator equipment, and any required screening may extend above the maximum building height, but shall not be greater than ten feet above the maximum building height. Said structures shall be completely screened from view at any right-of-way and from any protected district.
 - ii. Where a lot line abuts a lot line in a protected district, the building height of any structure within one hundred (100) feet of the lot line shall not be greater than 35 feet.

c. Exterior building materials, Architectural features and Façade requirements.

1. Walls on all sides of any building, exclusive of windows, shall be a minimum of 50% brick, stone, pre-cast concrete panels, tile, decorative block, wood or hardiplank lap siding,

ceramic or glass. Other materials may be approved if determined that the materials meet the intent and purpose of the districts.

2. Walls without windows shall not be permitted when facing or along a public right-of-way, public parking area, or park.
3. Articulation on all walls shall not be less than every 75 feet.
- d. Parking. The design, circulation, and amount of parking shall be in accordance with the standards in Article I, Section 733-211 of this ordinance. In addition, the following standards shall apply:
 1. Provisions for adequate bicycle, scooter and motorcycle parking shall be provided in proximity to the primary entrance in accordance with the Design Manual.
 2. Placement. No more than one single bay of parking shall be permitted between a public right-of-way and a building.
 3. Interior parking lot landscaping. All parking lots, regardless of size, shall provide interior landscaping. Landscaping shall be provided in accordance with the standards in Section 732-214(g)(3)
- e. Signs. Except as modified by this division, the regulations of the following Sections shall apply: Sections 734-100 through 734-204, Sections 734-207, 734-300 and 734-303, Sections 734-400 through 734-701.
 1. Permitted sign types: ground sign, awning sign, wall sign, projecting sign, suspended sign, and window sign.
 2. Prohibited sign types: Off-premises (outdoor advertising) sign, pole sign, pylon sign, and portable sign shall be prohibited.
 3. Sign types eligible for Special Consideration. Animated sign, roof sign, marquee sign, message center, and electronic variable message sign may be permitted after Special Consideration and the adoption of specific findings by the Commission that unique circumstances exist and that the specific design characteristics are appropriate for the district.
 4. Number and size of signs by type.
 - i. Ground signs. One sign per building may be permitted in accordance with the following standards. The integration of signs, particularly the sharing of signs for multiple businesses, is encouraged.
 - (a) Maximum height of a ground sign shall be 10 feet.
 - (b) Maximum sign area of a ground sign shall be 200 square feet.
 - (c) Setback of a ground sign. Ground sign shall be located at least 10 feet from any right-of-way or property line.
 - (d) Separation. Ground sign shall be no closer than 300 feet to another ground sign.
 - (e) Ground sign shall not be located in any designated greenbelt or perimeter planting area.
 - ii. Awning signs, wall signs, projecting signs, suspended signs, and window signs may be located on any of the walls of a building. The total sign surface area of all signs shall not exceed 10% of the area of all facades.
 - iii. Coordinated Sign Plan. A coordinated sign plan for projects that contain five or more permitted signs may be submitted at the time of development plan submittal and approved by the Commission shall be eligible for a 20% increase in permitted sign surface area per permitted sign. Said plan shall indicate the size, design, illumination, and placement of all signs on the site.

- iv. Sign illumination. The Commission may authorize the internal or external illumination of signs.
 - v. Character. The colors, materials, and style of signs shall be architecturally compatible and accentuate the buildings and landscaping on the site. Signs are recommended to be designed to reflect the small-town atmosphere of Speedway while professionally promoting the businesses that they represent. Box signs typically do not meet the desired character.
- f. Landscaping.
- 1. General.
 - i. Landscaping shall be provided in accordance with the plan approved by the Commission in accordance with the guidance provided by the Design Manual.
 - ii. All required landscaping in accordance with the approved plan shall be installed within one year of the date of issuance of an improvement location permit.
 - iii. The landscaping shall be properly maintained at all times, upon installation and thereafter. Proper maintenance includes, but is not limited to, replacing dead plantings with identical varieties or a professionally acceptable substitute, proper pruning, provision of adequate water, and keeping the area free of refuse and debris.
 - iv. An approved landscaping plan may not be altered, eliminated, or modified, without first obtaining approval by the Commission or their designee.
 - 2. Greenbelt. Landscaping along Street frontage. A greenbelt shall be provided along each frontage. Greenbelts shall be landscaped and shall be otherwise unoccupied except for steps, walks, driveways, lighting, and similar structures. Parking areas shall not be permitted in a greenbelt.
 - i. Greenbelt along a Corridor Street.
 - (a) Minimum width shall be 20 feet.
 - (b) Plantings in the greenbelt along a Corridor Street shall be in accordance with the Design Manual.
 - ii. Greenbelt along an Interior Street.
 - (a) Minimum width shall be 10 feet.
 - (b) Plantings in the greenbelt along an Interior Street shall be in accordance with the Design Manual.
 - 3. Building perimeter plantings. A minimum planting area equal to an area measuring an average of 10 feet in depth and extending along the entirety of each wall of the building shall be landscaped adjacent to that wall of the building. Sidewalks may be permitted in these areas, but shall not occupy more than 50% of the area on any side of the building. If an approach driveway or loading area cuts into a planting area adjacent to the building, additional planting area equal to the area displaced by the driveway shall be added to the building perimeter planting. These perimeter planting areas need not be rectangular in shape as long as the required total area is landscaped and dispersed on at least three different sides of the building.
 - 4. Property perimeter plantings. A minimum property perimeter planting area shall be provided along the perimeter of the property except for frontage areas and shall be in accordance with the Design Manual.
- g. Screening of trash receptacles, recyclable receptacles, refuse areas, and outside material/equipment storage.
- 1. No outside, unenclosed storage or display of materials or equipment shall be permitted on any lot. All materials and equipment shall be contained within an area enclosed in proximity on all sides by a solid fence, wall, mound, or similar means of enclosure. The

enclosure is not required to have a roof. The sides of the enclosure shall be the greater of six feet or two feet taller than the assemblage of material or equipment that is being enclosed. All sides of the enclosure structure, including doors or gates, shall be opaque.

2. No outside, unenclosed storage of recyclables or refuse containers exceeding 16 cubic feet in size shall be permitted on any lot. Any refuse or recyclable container, dumpster, or compactor exceeding 16 cubic feet in size shall be located within an area enclosed on all sides by a fence, wall, or similar means of enclosure. The enclosure does not require a roof. The height of the sides of the enclosure shall be the greater of six feet or two feet taller than the container, dumpster, or compactor that is being enclosed. All sides of the enclosure, including doors or gates, shall be opaque.
- h. Lighting. Lighting shall be designed to minimize overflow light into the night sky, shield the light filaments from any right-of-way or protected district, prohibit hazardous glare perceptible from any point beyond the lot lines, and provide adequate light for safety.
- i. Fencing. Except for use as described under subsection g., fences shall be constructed of materials that complement the design of the primary building. Chain-link fencing is strongly discouraged. Barbed wire and razor wire shall be prohibited.
- j. Sustainability.

The purpose of this section is to promote health, safety, and welfare within the SZ-2 district and its environment by minimizing the harms and maximizing the benefits, through provisions designed to allow alternatives to the traditional building design and stormwater management. It is the intent of this section to encourage the use of Best Management Practices (BMPs) which are structural, vegetative, or managerial practices designed to treat, prevent, or reduce degradation of water quality due to stormwater runoff as well as the environmental impacts of building construction. All development projects subject to review under the requirements of this ordinance shall be designed, constructed, and maintained using BMPs to minimize environmental impacts while maintaining and contributing to the aesthetic values of the project.

1. Green Roof Construction. None of the building surface area under green roof construction shall be counted towards the impervious surface cover calculations.
2. Parking Lot and other surfaced elements. In order to break up or disconnect the flow of runoff over impervious surfaces, the use of pervious pavement materials is encouraged and includes, but is not limited to, pervious asphalt, pervious concrete, grid systems, or block pavers. Surface areas constructed with pervious techniques and materials, shall not be counted towards the impervious surface cover calculations.
3. The Commission may grant an increase in allowable impervious surface coverage for projects utilizing some or all of the following types of elements of sustainability:
 - i. Sustainable Architecture. Sustainable architecture design practice emphasizes efficiency of heating and cooling systems, alternative energy sources such as passive solar, appropriate building siting, reused or recycled building materials, on-site power generation (solar technology, ground source heat pumps, wind power), rainwater harvesting for gardening and washing, and on-site waste management such as green roofs that filter and control stormwater runoff.
 - ii. Nonstructural Stormwater Management Strategies. To the maximum extent practicable, the stormwater drainage standards adopted by the Town of Speedway shall be met by incorporating nonstructural stormwater management strategies into the site design. The nonstructural stormwater management strategies incorporated into the site design shall:
 - (a) Protect areas that provide water quality benefits or areas particularly susceptible to erosion and sediment loss;
 - (b) Maximize the protection of natural drainage features and vegetation;

- (c) Minimize the decrease in the "time of concentration" from preconstruction to post construction. "Time of concentration" is defined as the time it takes for runoff to travel from the hydraulically most distant point of the watershed to the point of interest within a watershed;
 - (d) Minimize land disturbance including clearing and grading;
 - (e) Minimize soil compaction;
 - (f) Provide low-maintenance landscaping that encourages retention and planting of native vegetation and minimizes the use of lawns, fertilizers and pesticides;
 - (g) Provide vegetated open-channel conveyance systems discharging into and through stable vegetated areas.
- iii. Other sustainable strategies or practices that achieve the same intent outlined above.

Section 4. Section 735-751 of the "Revised Code of the Consolidated City and County," regarding the definitions in the Special Districts Zoning Ordinances of Marion County, Indiana, hereby is amended by renumbering Section 735-751 to Section 735-770 and by the addition of the language which is underscored, to read as follows and to alphabetically reorder as needed:

(b) Definitions.

Articulation. the means of dividing a structure's façade into distinct and significant parts through the use of windows, change in building materials, building façade insets, artwork, etc. in order to add scale to a structure and break up large expanses of unadorned walls. Refer to Diagram C.

Base Panel. The horizontal piece that forms the lowest member of a façade located between finished grade and the base of a window. Refer to Diagram C.

Design Manual. The Development Design Manual for Speedway as adopted and amended by the Speedway Town Council and the Metropolitan Development Commission.

Green Roof. The roof of a building that is partially or completely covered with vegetation and soil, or a growing medium, planted over waterproofing membrane.

Greenbelt. The portion of a front yard of a lot that is immediately adjacent and parallel to a street right-of-way and specified as such for landscaping purposes.

Sign Band. The horizontal piece of a façade framework, within which a sign is permitted, located between the top of a first story window or first story door and the base of a second story window. Refer to Diagram C.

Street, Corridor. Primary streets within the SZ-1 and SZ-2 Districts, more specifically defined as 16th Street, Holt Road, and 10th Street.

Street, Interior. Streets within the SZ-1 and SZ-2 Districts that are not identified as Corridor Streets shall be considered Interior Streets.

Surface, Permeable. A surface that permits water to enter the ground by virtue of its porous nature or by large spaces in the material.

Surface, Impervious. A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.

Transparency. The ratio of glass of windows and doors compared to the entire face of a building, and shown in a percentage format. Refer to Diagram C.

DIAGRAM B Sign Types in Speedway Zoning Districts

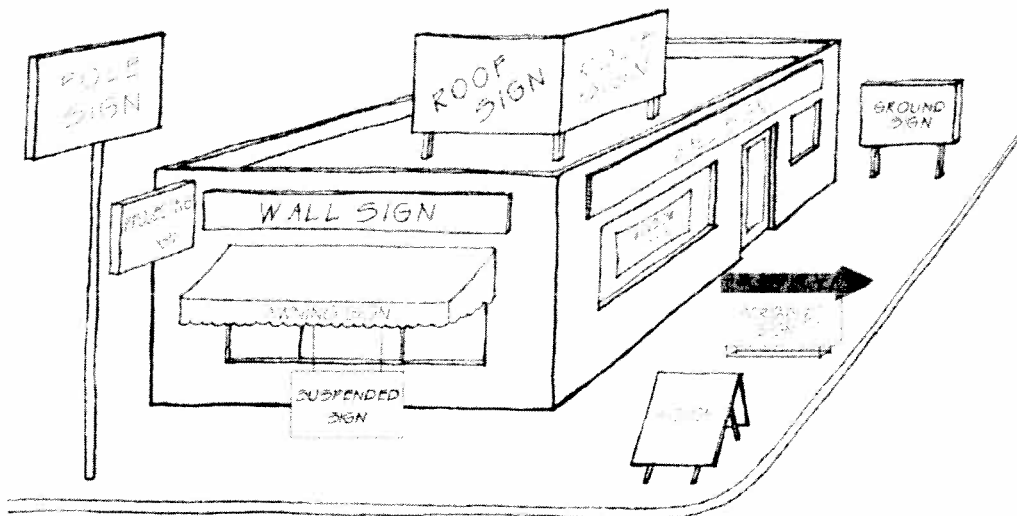
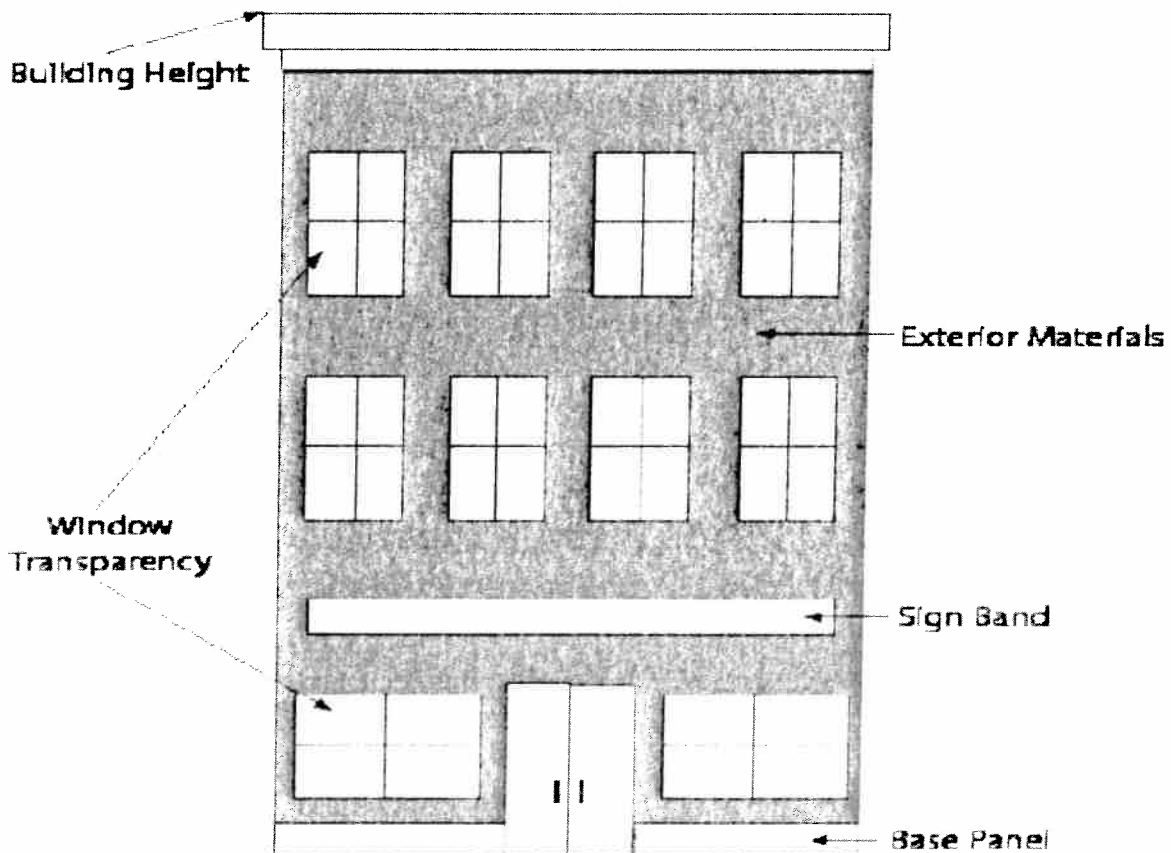


DIAGRAM C Elements of a Building



SECTION 5. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 6. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining

provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended in adopting this ordinance. To this end, the provisions of this ordinance are severable.

SECTION 7. This ordinance shall be in effect on January 1, 2009.

The foregoing amending ordinance, 2008-AO-02, to the Special Districts Zoning Ordinance of the "Revised Code of the Consolidated City and County" of Indianapolis- Marion County, Indiana, was approved by the affirmative vote of the Metropolitan Development Commission on the 5th day of November, 2008.

The foregoing was passed by the City-County Council this 26th day of January, 2009, at 7:55 p.m.

ATTEST:



Melissa Thompson
Clerk, City-County Council


Bob Cockrum
President, City-County Council

Presented by me to the Mayor this 29th day of January, 2009, at 10:00 a.m.


Melissa Thompson
Clerk, City-County Council

Approved and signed by me this 6th day of February, 2009.


Gregory A. Ballard, Mayor

STATE OF INDIANA, MARION COUNTY)) SS:
CITY OF INDIANAPOLIS)

I, Melissa Thompson, Clerk of the City-County Council, Indianapolis, Marion County, Indiana, do hereby certify the above and foregoing is a full, true, and complete copy of Proposal No. 540, 2008, a Proposal for GENERAL ORDINANCE, passed by the City-County Council on the 26th day of January, 2009, by a vote of 26 YEAS and 0 NAYS, and was retitled General Ordinance No. 13, 2009, which was signed by the Mayor on the 6th day of February, 2009, and now remains on file and on record in my office.

WITNESS my hand and the official seal of the City of Indianapolis, Indiana, this 6th day of February, 2009.


Melissa Thompson
Clerk, City-County Council

(SEAL)